

REMARKS

Claims 1-8 were examined and reported in the Office Action. Claims 1-3 and 5-7 are rejected. Claims 2, 4 and 6-8 are canceled. Claims 1, 3 and 5 are amended. Claims 1, 3 and 5 remain.

Applicant requests reconsideration of the application in view of the following remarks.

I. In the Drawings

A. The drawings are objected to because Figures 2a, 2b, and 4 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. Applicant has amended Figs. 2a, 2b and 4 including the legend "Prior Art."

B. Fig. 8 is objected to because reference character "301" has been used to designate both the physical layer and the optical module interfacing means. Applicant has amended Fig. 8 to indicate that the optical module interfacing means is designated by reference 303.

C. The drawings are objected to because reference character "204" is included in the drawings but not mentioned in the description. Applicant has amended the specification to include reference character 204 to designate the host board in Fig. 2b.

Corrected drawings in compliance with 37 CFR 1.121(d) are included with this response to overcome the objections. Approval is respectfully requested.

II. 35 U.S.C. § 102(e)

A. It is asserted in the Office Action that claims 1-3 are rejected in the Office Action under 35 U.S.C. § 102(e), as being clearly anticipated by Patent No. U.S. 6,705,879 issued to Engel et al. ("Engel"). It is asserted in the Office Action that claim 4 would be allowable if placed in independent form including all of the limitations of the base claim and any intervening claims. Applicant has amended claim 1 to include the limitations of claims 2 and 4. Therefore, claim 1 is now placed in allowable form.

Accordingly, withdrawal of the 35 U.S.C. § 102(e) rejection for claims 1-3 are respectfully requested.

B. It is asserted in the Office Action that claims 1-3 are rejected in the Office Action under 35 U.S.C. § 102(e), as being clearly anticipated by U. S. Patent No. 6,876,838 issued to Daly et al. (“Daly”). As asserted above in section II(A), claim 1 is now placed in allowable form.

Accordingly, withdrawal of the 35 U.S.C. § 102(e) rejection for claims 1-3 are respectfully requested.

III. 35 U.S.C. § 103(a)

It is asserted in the Office Action that claims 5-7 are rejected in the Office Action under 35 U.S.C. § 103(a), as being unpatentable over U. S. Patent No. 6,533,470 issued to Ahrens et al. (“Ahrens”), in view of Engel or Daly. It is asserted in the Office Action that claim 8 would be allowable if placed in independent form including all of the limitations of the base claim and any intervening claims. Applicant has amended claim 5 to include the limitations of claims 6-7. Therefore, claim 5 is now placed in allowable form.

Accordingly, withdrawal of the 35 U.S.C. § 103(a) rejection for claims 5-7 is respectfully requested.

IV. Allowable Subject Matter

Applicant notes with appreciation the Examiner’s assertion that claims 4 and 8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. As asserted above in sections II(A) and III, Applicant has now placed claims 1 and 5 in allowable form.

Applicant asserts that claims 1, 3 and 5 as they now stand, are allowable for the reasons given above.

CONCLUSION

In view of the foregoing, it is submitted that claims 1, 3 and 5 patentably define the subject invention over the cited references of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes a telephone conference would be useful in moving the case forward, he is encouraged to contact the undersigned at (310) 207-3800.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,

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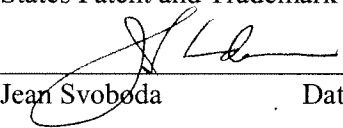
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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below to the United States Patent and Trademark Office.


Jean Svoboda

Date: July 9, 2007